REMARKS

Entry of this amendment and reconsideration of this application, as amended, are respectfully requested.

Claim 20 was rejected under 35 U.S.C. §112, second paragraph, for allegedly being indefinite. Applicants respectfully traverse.

The Examiner holds that claim 20 is indefinite due to the terms "sympathomimetic amine", "xanthine derivative" and "adrenal stimulant".

Claim 20 is definite sinee it belongs to the common general knowledge of the skilled person which compounds are eneompassed by these terms. The term "sympathomimetic amine" defines an agent that evokes responses similar to those produced by adrenergic nerve activity. Synonyms for this term are "adrenergic amine" and "adrenomimetic amine". This term is well defined in medical dictionaries. Furthermore, a person of skill in the art knows which derivatives of xanthine are suitable for a medical use.

The term "adrenal stimulant" is also a term which is commonly used in medicine. Therefore, the rejection is believed to be unfounded and should be withdrawn.

Claims 1-4, 6, 8-13, 15, 17-18 and 22 were rejected under 35 U.S.C. §103(a) over Ehinger. Applicants respectfully traverse.

The Examiner alleges that it would have been obvious at the time of the present invention to administer AWD 12-281 for the first time after an allergic challenge with reasonable expectation of treating atopic dermatitis beeause Ehinger already discloses the use of AWD 12-281 for the treatment of allergic skin diseases, such as atopic dermatitis.

Ehinger, however, only discloses the use of AWD 12-281 after an allergic challenge in addition to the treatment with AWD 12-231 before an allergic challenge. In view of Ehinger, the

skilled artisan would not have had any motivation and no reasonable expectation of success to administer AWD 12-281 solely for the first time after an allergic challenge. In contrast, Ehinger confirmed the general prejudice of the skilled person that for treatment of atopic dermatitis with a PDE4 inhibitor, the PDE4 inhibitor must at least in part be administered before an allergic challenge. Therefore, this rejection should be withdrawn.

Claims 20-21 and 23 were rejected under 35 U.S.C. §103(a) over Ehinger and Winget. Applicants respectfully traverse.

Ehinger only disclose the use of AWD 12-281 after an allergic challenge in addition to the treatment with AWD 12-281 before an allergic challenge.

Claim 20 differs from Ehinger with respect to at least two features. Firstly, Ehinger does not disclose the use of a pharmaceutical combination, i.e. of a corticosterioid in combination with AWD 12-281, but only the use of AWD 12-281 alone. Furthermore, since claim 20 refers back to claim 1, the combination is only administered for the first time after an allergic challenge.

Winget neither teaches or suggests these features nor does Winget suggest any of these features. Winget only disclose that corticosterioids are known for treatment of atopic dermatitis of dogs. Consequently, if the skilled artisan had combined the teachings of Ehinger and Winget he would not have arrived at the subject-matter of claims 20-21 and 23. Thus, this rejection must be withdrawn.

Claims 1-4, 6, 8-13, 15, 17-18 and 22 were rejected under 35 USC §103(a) over Baumer. Applicants respectfully traverse.

The Examiner alleges that it would have been obvious to the skilled artisan to administer AWD 12-281 for the first time after an allergic challenge with reasonable expectation of success

for treatment of atopic dermatitis since firstly AWD 12-281 was already known from Baumer for the treatment of allergic dermatitis and since the optimization of the parameters which are relevant for the effect is allegedly routine skill in pharmaceutical art.

It is respeetfully submitted that the skilled artisan would not have thought of administering AWD 12-281 only for the first time after an allergic challengc since he already knew that other PDE4 inhibitors, such as cilomast, do not show any effect if they are administered solely for thc first time after an allergie challenge. Thus, this rejection must be withdrawn.

Claims 1-4, 6, 8-13, 15, 17-18 and 23 were rejected under 35 USC §103(a) over Hofgen. Applicants respectfully traverse.

In view of Hofgen, the skilled artisan would not have thought of administering AWD 12-281 for the first time after the allergic challenge, since the skilled artisan would know that other PDE4 inhibitors, such as cilomast do not show any effect if these inhibitors are only administered for the first time after an allergic challenge. Thus, this rejection must be withdrawn.

Claims 1-4, 6, 8-13 and 17-18 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting over claims 27-29, 36-38 and 69-84 of copending U.S. Patent Application 10/856,034. Applicants respectfully traverse.

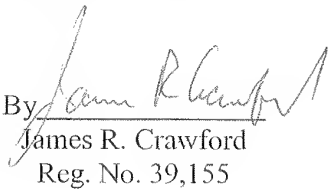
It is respectfully submitted that the presently pending claims sufficiently differ from the claims of the application with the serial no. 10/856,034. In particular, in the application no. 10/856,034 the administration of AWD 12-281 solely for the first time after an allergic challenge is not disclosed.

In view of the foregoing, allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-HUBR-1221-US.

Respectfully submitted

FULBRIGHT & JAWORSKI L.L.P.

By 
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